

## Staff Report

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**Report To:** City Council

**Report From:** Briana Bloomfield, City Clerk

**Meeting Date:** June 25, 2018

**Report Code:** CR-18-086

**Subject:** Election 2018 – General Report #3

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### Recommendations:

That in consideration of Staff Report CR-18-086 respecting the 2018 election, general report number three, City Council directs staff to bring forward a by-law to adopt the terms of reference for the Grey County Compliance Audit Committee (GCCAC) and delegate authority to the Clerk to appoint the members of the GCCAC.

### Strategic Initiative:

Strengthening our community through sound leadership.

### Background:

This is the third report being presented to Council respecting the 2018 municipal election.

Although the Clerk is responsible for conducting municipal elections, Council is the approval authority where issues require authorization by by-law. This report includes items for information and one by-law requiring direction by Council.

### Analysis:

#### **Grey County Compliance Audit Committee (GCCAC)**

The *Municipal Elections Act, 1996* (the “MEA”) requires that all municipalities appoint a Compliance Audit Committee (CAC) by October 1, 2018. A

qualified elector who believes on reasonable grounds that a candidate or a registered third party has contravened a provision of the MEA relating to election campaign finances may apply to the CAC for a compliance audit of the candidate's or the third party advertiser's election campaign finances.

Applications for a compliance audit are submitted to the Clerk, who in turn forwards the application to the CAC. The CAC reviews each application to determine whether or not there are reasonable grounds to request an audit. If the request is granted, the CAC appoints an auditor to audit the candidate's or third party advertiser's finances. Upon completion of the audit, the CAC reviews the auditor's report to determine whether there are contraventions of the MEA and whether legal proceedings against the candidate or third party advertiser should proceed.

If the auditor's report indicates that there are no apparent contraventions of the MEA and the CAC finds that there are no reasonable grounds for the application, Council is entitled to recover the auditor's costs from the applicant.

Additionally, the Clerk is responsible to report to the CAC any contributions on the financial statements submitted by a candidate or third party advertiser that have appeared to exceed any of the contribution limits. The CAC must consider the Clerk's Report and decide whether to commence a legal proceeding against the contributor for the apparent contravention.

In 2017, the Grey County Clerks began discussions about a joint CAC. Staff recommend that Owen Sound participate with all other Grey County municipalities in the Grey County Compliance Audit Committee (GCCAC). Taking into consideration the challenge of finding qualified applicants as well as the potential for conflicts for those applicants with accounting/auditing and legal backgrounds, a joint CAC offers the greatest opportunity to reach a broad spectrum of interested applicants across Grey County in a cost effective manner. The term of the committee would be from December 1, 2018 until November 14, 2022 to coincide with the term of Council.

The attached Terms of Reference for the GCCAC were developed by Grey County Clerk's using samples from other jurisdictions and the input of a municipal lawyer. Once all of the Grey County municipalities adopt the Terms of Reference by by-law, recruitment of members for the GCCAC will begin.

Recruitment for the GCCAC will include an advertisement in the Sun Times, posting to individual municipalities websites and the Grey County website. The advertisement will also be circulated to the Grey County Law Association, Law Society of Upper Canada and local auditors. Information and an application form will be available on the websites of both the City and Grey County.

The MEA specifies that CACs be composed of between 3 and 7 members. As outlined in the Terms of Reference, members of the Selection Committee will recommend a maximum of 7 members to be appointed by the Clerk. The Terms of Reference sets out the criteria that the Selection Committee will be considering when recommending appointments. It is being recommended that City Council delegate authority to the Clerk to appoint these members. Grey County Clerks have determined that this is the most efficient way to appoint members and ensure consistency of members across the County.

To avoid possible conflicts of interest, any auditor, accountant or lawyer appointed to the GCCAC must agree in writing that they have not and will not provide professional services to any candidates, third party advertisers or contributors in the County of Grey respecting the 2018 municipal election or any by-elections that occur.

When a participating municipality receives an application for a compliance audit or a Clerk's report, the Clerk of that municipality will contact members of the GCCAC and use three individuals to form a Sitting Committee. The Clerk will be responsible for preparing the necessary notices, agendas, minutes, etc. for the Sitting Committee.

### **Help Centres**

The Help Centres have been updated since the previous Election Report and will be provided during the voting period at the following locations, dates and times:

<b>Location</b>	<b>Date(s)</b>	<b>Time</b>
City Hall	Friday, Oct. 12, 2018	8:30 am – 4:30 pm
	Monday, Oct. 15, 2018 to Friday Oct. 19, 2018	8:30 am – 4:30 pm
	Monday, Oct. 22, 2018	8:30 am – 8:00 pm
Royal Canadian Legion	Saturday, Oct. 13, 2018	10:00 am – 6:00 pm

<b>Location</b>	<b>Date(s)</b>	<b>Time</b>
Julie McArthur Regional Recreation Centre	Sunday, Oct. 14, 2018	10:00 am – 4:00 pm
Heritage Place Mall	Saturday, Oct. 20, 2018	10:00 am – 6:00 pm
Harry Lumley Bayshore Community Centre	Sunday, Oct. 21, 2018	10:00 am – 4:00 pm
	Monday, Oct. 22, 2018	10:00 am – 8:00 pm

There will also be a Help Centre for Georgian College students on Wednesday, October 17, 2018 from 2 pm to 4 pm.

### **Long Term Care Facilities**

Staff will be attending all institutions and retirement homes throughout the voting period as required by the *Municipal Elections Act, 1996* (the "MEA") at the following locations dates and times:

<b>Location</b>	<b>Date(s)</b>	<b>Time</b>
Hannah Walker Place/ John Joseph Place	Friday, Oct. 12, 2018	10:00 am – 12:00 pm
Central Place	Friday, Oct. 12, 2018	2:00 pm – 4:00 pm
Kelso Pines	Monday, Oct. 15, 2018	10:00 am – 12:00 pm
Kelso Villa	Monday, Oct. 15, 2018	2:00 pm – 4:00 pm
Lee Manor	Tuesday, Oct. 16, 2018	10:00 am – 12:00 pm
Summit Place	Tuesday, Oct. 16, 2018	2:00 pm – 4:00 pm
Georgian Heights	Wed., Oct. 17, 2018	10:00 am – 12:00 pm
Mapleview	Thur., Oct. 18, 2018	10:00 am – 12:00 pm
Season's	Thur., Oct. 18, 2018	2:00 pm – 4:00 pm
GBHS	Friday, Oct. 19, 2018	10:00 am – 12:00 pm

### **Internet and Telephone Voting Information Sessions**

An internet and telephone voting information session is going to be held on August 29, 2018 at 7 p.m. The information session is tentatively booked to occur at the newly renovated City Hall Council Chambers.

The Customer Relations Manager from Dominion Voting will be leading the information session. Dominion Voting is the City's service provider for the internet and telephone voting system.

There will be another internet and telephone voting information session on September 29, 2018 at 10:00 a.m. in the Council Chambers. This information session will be run by staff from the Clerk's Office and the I.T. Division.

### **Financial/Budget Implications:**

Members of the GCCAC will be paid a retainer of \$1,000 split amongst the member municipalities. Any other costs associated with the operation of the GCCAC will be shared jointly by the member municipalities.

Should a compliance audit be initiated, members of the Sitting Committee will be paid \$150 for meetings under 4 hours and \$250 for meetings over 4 hours plus mileage. The host municipality will be responsible for these costs as well as any audit or legal costs as may be required.

There will be advertising costs associated with advertising Help Centres and information sessions as budgeted for in the Election budget.

### **Communication Strategy:**

All election related material is available on the City's website. The help centre locations, dates and times will be advertised through the City's website, insert in the tax bill and posters at the facilities. The internet and telephone information sessions will be advertised through a media release and social media.

### **Consultation:**

Grey County Clerk's, Manager of I.T. and Deputy Clerk – Legislative

### **Attachments:**

1. GCCAC - Terms of Reference

<b>Prepared By:</b>	Briana Bloomfield	signature on file
<b>Reviewed By:</b>	Kate Allan	signature on file
<b>Submitted By:</b>	Wayne Ritchie	signature on file